

Remarks/Arguments:

Claims 4 and 5 have been rejected under 35 U.S.C. §112, second paragraph. Claim 4 has been appropriately amended. Withdrawal of the rejection is respectfully requested.

Claim 1 has been rejected under 35 U.S.C. §102(e) as being anticipated by Itoi (U.S. 6,456,625). It is respectfully submitted, however, that this claim is patentable over Itoi for the reasons set forth below.

Applicant's invention, as recited by claim 1, includes a feature which is neither disclosed nor suggested by the art of record, namely:

...determining whether or not said terminal connected to said terminal interface is capable of IP communication...

Determining unit 111 is shown in Fig. 1. Terminals may be plugged into terminal interfaces 104, 105, 106, and/or 107. Thus, any of the terminal interfaces 104-107 can accommodate an IP telephone (i.e. a digital telephone) or an analog telephone. Determining unit 111 is capable of evaluating any telephone connected to terminal interface 104-107 to determine whether the telephone being evaluated is an analog telephone or an IP telephone. The results of this determination are further recited in Applicant's claim 1 as follows:

...if said determining unit determines that said terminal is capable of IP communication, said IP packet input from said line interface is outputted to said terminal interface, and said IP packet input from said terminal interface is outputted to said line interface...

In other words, if the determining unit determines that the telephone connected to the terminal interface is an IP telephone, then IP packets are transmitted to and received from the telephone.

Claim 1 further recites the following:

...if said determining unit determines that said terminal is not capable of the IP communication, the IP packet input from said line interface is converted to said voice signal by said conversion unit and outputted to said terminal interface, while said voice signal input from said terminal interface is converted to said IP packet and outputted to said line interface...

Thus, if the determining unit determines that the telephone which has been connected to the terminal interface is not an IP telephone (i.e. an analog telephone), then 1) IP packets transmitted toward the telephone are converted to voice signals; and 2) voice signals transmitted from the telephone are converted to IP packets.

Features similar to the above claimed features were previously recited in claim 2. The Official Action previously rejected claim 2 by combining Itoi with Elliot at column 89, lines 14-17, column 75, lines 53-56, and column 92, lines 7-11. In addition, during a telephone interview, Applicant's representative was informed that column 90, lines 13-17 may be relevant.

Applicant's representative has reviewed all of the above portions of the Elliot patent. None of the above portions disclose Applicant's claimed features as recited above.

Column 89 (lines 14-17) describes the ability to direct a call to either a PC or a telephone. There is no determination of the terminal itself to determine whether the terminal, itself, is a PC or a telephone.

Column 75 (lines 53-56) describes the ability to answer a telephone call with a mouse click. The call is directly sent to a multi-media PC. Again, the telephone itself is not evaluated to determine whether it is analog or IP.

Column 92 (lines 7-11) states that the ITG provides services to convert IP data to voice data. This conversion automatically occurs over the ITG. The telephone is not being evaluated to determine what kind of telephone it is.

Column 90 (lines 13-17) describes a phone to PC call. Line 13 discloses that the telephone is connected to an ITG. Column 91 (line 51) defines an ITG as "the internet telephony gateway provides a path through which voice calls may be bridged between an IP network and a traditional telephone network." This is different than claim 1 because the ITG is fixed to an analog telephone. This is different than the claimed invention, where the step is included of determining whether the telephone is an analog telephone or an IP telephone.

Appln. No.: 10/043,837
Amendment Dated: February 16, 2006
Reply to Office Action of: November 21, 2005

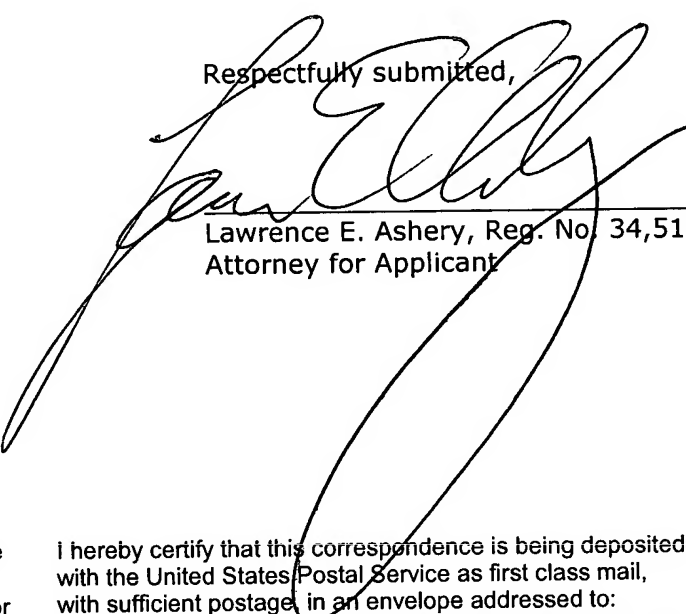
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Accordingly, amended claim 1 is patentable over the combination of Itoi and Elliot.

Claims 2-8 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Itoi in view of Elliot (U.S. 6,754,181). The rejection of claim 2 is rendered moot by the cancellation of that claim. Claims 3-8 are patentable by virtue of their dependency on allowable claim 1.

In view of the amendments and arguments set forth above, the above-identified application is in condition for allowance which action is respectfully requested.

Respectfully submitted,


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Dated: February 16, 2006

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Deborah Spratt



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